

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

YVETTE DUNGEY,

Plaintiff,

v.

CIVIL CASE NO. 06-12461

HONORABLE PAUL V. GADOLA  
U.S. DISTRICT JUDGE

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

\_\_\_\_\_ /

**ORDER ACCEPTING REPORT AND RECOMMENDATIONS**

Before the Court are Plaintiff's motion for summary judgment, filed October 2, 2006 and Defendant's motion for summary judgment, filed November 2, 2006. Also before the Court is the report and recommendation of the Honorable Donald A. Scheer, United States Magistrate Judge. The Magistrate Judge recommends that this Court deny Plaintiff's motion for summary judgment and grant Defendant's motion for summary judgment. The Magistrate Judge served the report and recommendation on all parties on November 20, 2006 and notified the parties that any objections must be filed within ten days of service. No party has filed objections to the report and recommendations.

The Court's standard of review for a Magistrate Judge's report and recommendation depends upon whether a party files objections. If a party does not object to the report and recommendation, the Court does not need to conduct a review by any standard. *See Lardie v. Birkett*, 221 F. Supp. 2d 806, 807 (E.D. Mich. 2002) (Gadola, J.). As the Supreme Court observed, "[i]t does not appear

that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings." *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Since neither party has filed objections to the report and recommendation, the Court need not conduct a review.

**ACCORDINGLY, IT IS HEREBY ORDERED** that the report and recommendation [docket entry 10] is **ACCEPTED** and **ADOPTED** as the opinion of this Court.

**IT IS FURTHER ORDERED** that Plaintiff's motion for summary judgment [docket entry 8] is **DENIED**.

**IT IS FURTHER ORDERED** that Defendant's motion for summary judgment [docket entry 9] is **GRANTED**.

**SO ORDERED.**

Dated: December 20, 2006

s/Paul V. Gadola  
HONORABLE PAUL V. GADOLA  
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that on December 20, 2006, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Janet L. Parker; Mikel E. Lupisella, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: \_\_\_\_\_.

s/Ruth A. Brissaud

Ruth A. Brissaud, Case Manager

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